

GILA COUNTY BOARD OF ADJUSTMENT  
Gila County Supervisors Conference Room  
610 E. Highway 260, Payson, AZ  
Community Development Conference Room  
745 N. Rose Mofford Way, Globe, AZ

August 16, 2018  
9:00 A.M.

**A G E N D A**

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**REGULAR MEETING**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call: Don Ascoli-Chairman, Mickie Nye, Mary Lou Myers, Terry Otts, Bill Marshall
4. Review and Approval of Minutes of the Board of Adjustment Hearing on May 17, 2018.

5. **Director/Planner Communication:**

At any time during this meeting of the Board of Adjustment, the Director and/or Planner of Community Development may present a brief summary of current events. No action may be taken.

**Appeals:**

6. **AV-18-10 Julie Griesa:** Community Development Staff approved AV-18-10, a request to obtain a 3-foot side yard setback for an existing exempt structure. Application was appealed by Jennifer James on July 30, 2018.
7. **U-18-06 Christopher Pfeil:** Community Development Staff denied the housing of 8 pot-bellied pigs on Mr. Pfeil's property. Application was appealed by Christopher Pfeil on July 12, 2018.
8. Adjournment



**MINUTES OF THE GILA COUNTY  
BOARD OF ADJUSTMENT  
Thursday, May 17, 2018**

GILA COUNTY BOARD OF SUPERVISORS CONFERENCE ROOM  
610 E. Highway 260, Payson, AZ  
GILA COUNTY COMMUNITY DEVELOPMENT CONFERENCE ROOM  
745 N. Rose Mofford Way, Globe, AZ  
9:00 A.M.

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**REGULAR MEETING**

1. The meeting was called to order at 9:17 A.M. by Chairman Don Ascoli.
2. Pledge of Allegiance was led by Chairman Don Ascoli.
3. Roll Call: Therese Berumen did the roll call; Chairman Don Ascoli (in Payson), Terry Otts (in Globe), Mickie Nye (in Globe), and Bill Marshall (in Globe) are all present. Mary Lou Myers was absent. A quorum is present.

Community Development Staff Members Present: Scott Buzan-Director, Robert Gould-Planner, and Therese Berumen-Administrative Assistant.

4. Review and Approval of the Board of Adjustment Minutes on April 19, 2018. Chairman Don Ascoli asked if there were any changes needed to the minutes. No changes were suggested. Mickie Nye motioned that the minutes be approved as is and Bill Marshall seconded the motion. The motion was unanimously approved.
5. **Director/Planner Communication:** At any time during this meeting of the Board of Adjustment, Director Scott Buzan and/or Planner Robert Gould of Community Development may present a brief summary of current events. No action may be taken.

Neither Scott Buzan nor Robert Gould had anything they needed to discuss.

**Public Hearing:**

6. **V-18-01 Javelina Sky Development LLC/Woodshire at Elk Rim LLC:** Request to obtain an area wide variance for front, side, and rear setbacks for the recently recorded Elk Rim Subdivision in Pine, Arizona.

Robert Gould presented the staff report overview. Elk Rim is an 18-lot subdivision located near the entrance of Portals Four Subdivision, with an APN number of 301-69-196 and 197. This is a small lot subdivision, which has a zoning of TR. There are some development challenges to this subdivision. First of all, there is some significant topography involved. From the northern part to the southern part of the parcel, there is a 50-foot elevation change. Secondly, there are several lots that are irregular in shape, due to the cul-de-sac and corners of the subdivision. After looking at this Variance application, we have set 5 guidelines or rules that we would like to see followed and we also agree that there is a need to be creative with this. The 5 guidelines would be: (1) Rear setbacks shall be no closer than 15 feet from the rear property line. Right now, the regulations call for a 20-foot setback. (2) Front setbacks shall be no closer than 15 feet from the

front property line. Right now, regulations call for a 20-foot setback. (3) Both side setbacks shall maintain a minimum total setback of 14 feet from the side property lines. (4) Under no circumstance shall a side setback be less than three feet from the side property line. Distance will be measured from eave. (5) Under no circumstance shall a housing unit on one lot be closer than 10 feet from a housing unit on an adjoining lot. Distance will be measured from eave to eave. Chairman Don Ascoli asked if two adjacent lots could be 3 feet from the property line. Robert Gould replied that no, they could not be, if the Board approves with the 5 conditions that staff recommends. Mickie Nye asked if there were going to be any carports or garages. Robert Gould stated that yes that was an option. Terry Otts asked if the same rules applied to garages and carports about the 10 feet from eave to eave. Robert Gould stated that yes it would.

The meeting was opened to public comment. Rick Vesci, co-owner of the property and applicant, stated that they wanted to create a community that was well structured and beautiful in appearance in every way. We aren't just selling lots, we are building and designing homes. Basically, what will happen, is that when somebody buys a lot, they are also buying a home to go with that lot. They will be picking their floorplan. As you have already heard, there are some severe topography issues, so we wanted to make sure the houses slide in properly on the lot for aesthetics and privacy. We would like all the garages in the rear or side, and not in the front. No other public comments. The public comment portion of the meeting was closed.

Mickie Nye motioned to approve V-18-01 Javelina Sky Development LLC/Woodshire at Elk Rim LLC with the 5 conditions set by staff. The motion was seconded by Bill Marshall. The motion was unanimously approved.

7. Adjournment. Bill Marshall made a motion to adjourn the meeting and Terry Otts seconded the motion. The motion to adjourn was unanimously approved at 9:38 A.M.





**STAFF REPORT  
TO THE  
BOARD OF ADJUSTMENT**

**APPEAL OF APPLICATION AV-18-10**



**AV-18-10  
Public Hearing  
August 16, 2018  
610 E. Highway 260  
Payson, AZ**



## I. Application

<b>Applicant Name</b>	Julie Griesa
<b>Applicant Address</b>	920 E. Waltann Lane, Phoenix, AZ 85022
<b>Site Address</b>	1058 Columbine Road, Christopher Creek
<b>APN Number(s)</b>	303-10-109
<b>Current Zoning</b>	General Unclassified
<b>General Plan Designation</b>	Residential (0.4 – 1.0 units per acre)
<b>Application Number</b>	AV-18-10

## II. Background

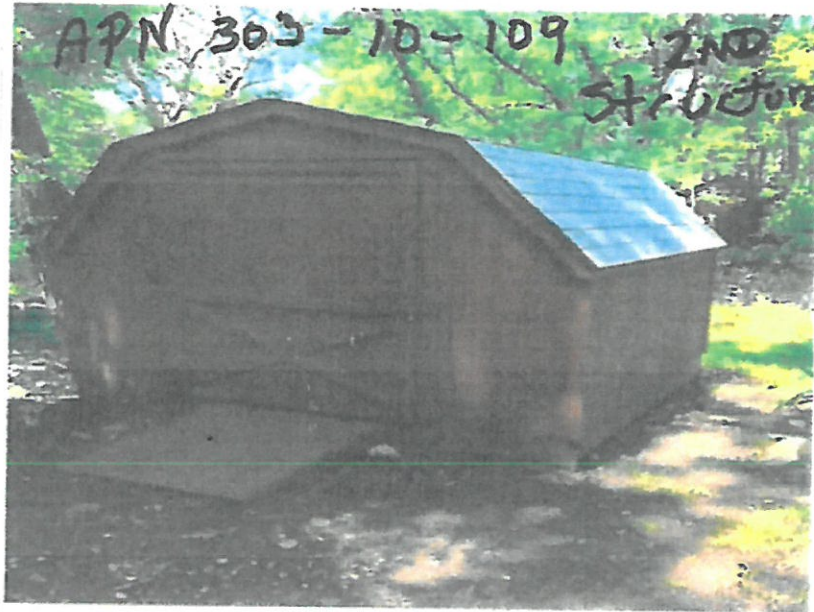
The applicant, Julie Griesa, submitted a request for an administrative variance to permit a three foot side yard setback (eastern property line) for an existing storage shed (“Shed #1”) to address a complaint received by the Gila County Code Enforcement Department. The administrative variance was approved on July 5, 2018. This decision was appealed by an adjacent property owner via a letter dated July 27, 2018 and received by Gila County on July 30, 2018. Please note that a copy of the administrative variance approval letter and the appeal letter are attached to this report.

The primary reason for the appeal, per the adjacent property owner, is that Shed #1 is currently located too close to the eastern property line and that there is another shed (“Shed #2”) located directly behind Shed # 1 that is also in close proximity to the eastern property line. The appeal letter requested that both sheds be set back three feet from the eastern property line. It is important to note that the administrative variance approval included relocating Shed # 1 three feet from the eastern property line which addresses the first concern. Shed # 2 was not part of the initial request.

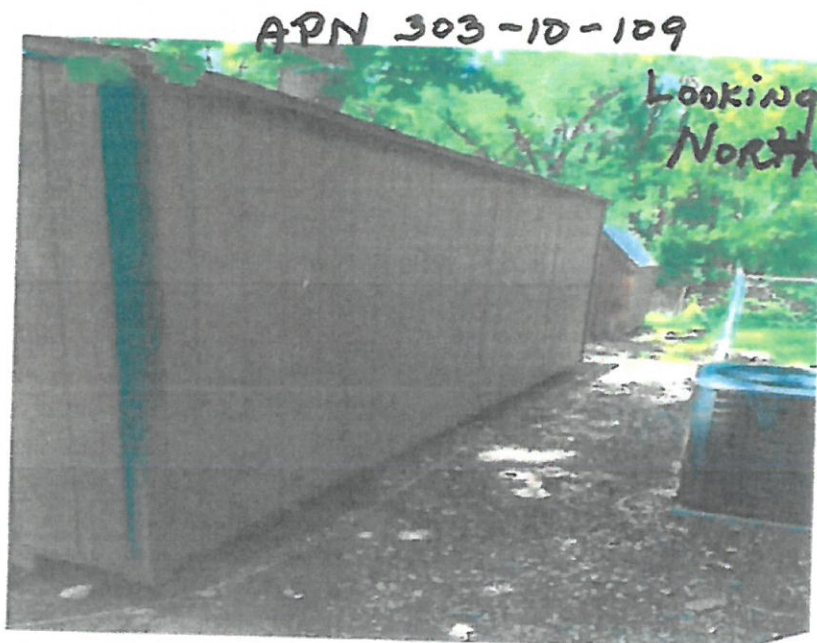
Shed # 1



Shed # 2



Shed # 1 and 2



As Shed # 2 was not part of the original administrative variance request, the applicant will need to submit a new request to move Shed # 2 three feet from the eastern property line.

### III. Recommendation

Staff recommends that the administrative variance approval for Shed # 1 be upheld. As for Shed # 2, staff recommends the following stipulation:

1. The applicant shall submit an application for an administrative variance for Shed # 2 to permit a three foot setback from the eastern property line within 30 days of this Board of Adjustment decision.



ygriese@yahoo.com

Gila County Community Development Division  
Planning & Zoning Department  
745 N Rose Mofford Way, Globe, AZ 85501  
(928) 402-8512

FAX: (928) 425-0829

or

608 E Highway 260, Payson, AZ 85541  
(928) 474-9276

FAX: 928-474-0802

### ADMINISTRATIVE VARIANCE APPLICATION

Date: 5/11/18

Case File No.: AU-18-10

Applicant Name: Julie Griese

Mailing Address: 920 E Watahara Ln.

Phone No.: 602-318-0109

Signature: [Signature]

Phoenix AZ 85022

Owner's Name: Julie Griese

Mailing Address: [Signature]

Phone No.: 602-318-0109

Signature: [Signature]

(If the applicant is not the owner of the subject property, the owner must sign the application authorizing the applicant to apply.)

Property Address: 1058<sup>W</sup> Columbine Rd, Payson AZ 85541

Property Parcel No.: 303-10-109

Zoning of Property: G-11

Legal Description: [Blank]

Applicant's Description of Administrative Variance Request: 3' side setback for an exempt structure (BWP)

Applicant's Justification for an Administrative Variance: There is no other place on the lot for the structure to go.

Attach a reproducible 8 1/2" x 11" site plan showing: scale; north arrow; all lot dimensions; adjacent streets and names; all existing and proposed buildings and structures, driveways, alleys, easements, water and utility services, septic tanks and leach fields, fences, and drainage ditches; significant trees and vegetation; and, extreme topographical conditions. Show all dimensions of existing and proposed buildings and structures, and distances between buildings. Label property lines (i.e. front, rear, side) and show the dimensions of the setbacks. Show the proposed feature which is the subject of the variance request.

#### FOR OFFICE USE ONLY

\$75 Fee Paid

Check No.: 147

Cash: [Blank]

Date: 5/14/18

Inspector's Report and Pictures Done: [Blank]

Approved: X

Denied: [Blank]

Director's Signature: [Blank]

Date: 7/12/18

Date notices mailed to Applicant & Adjacent Property Owners: 7/12/18

Appeal Due Date: 8/2/18

Appealed: 7/30/18

P1805-035

(7)

CP1708-001  
BWP



Julie Griesa 303-10-109  
1058 W. Columbine Rd. Puyser

**Gila County Property Report**

Friday, June 15, 2018

**Account # :** R000030853**Parcel # :** 303-10-109**Appraisal Year :** 2018**Acct Type :** Residential**Tax District :** 1001**Map # :** 10**Parcel Size :** 0.19 acres**Owner Name and Address :**

GRIESA MICHAEL S & JULIE A TRUSTEES  
 GRIESA TRUST  
 920 E WALTANN LN  
 PHOENIX AZ 85022

**Property Location :**

No #  
 1058 W COLUMBINE RD  
 PAYSON AZ 85541-0000  
 MH Space

**Business/Complex :****Property Sales History**

Sale Date	Doc Date	Book	Page	Type	Amount	Grantor	Grantee
6/3/2010	6/3/2010	-	-	PR	\$0.00	SUPERIOR COURT OF ARIZONA GILA COUNTY	WYNN DONNA LEE ESTATE BARBARA LAIMINS PER REP
5/13/2010	6/3/2010	-	-	WD	\$230,000.00	WYNN JESSE W & DONNA L	GRIESA MICHAEL & JULIE
6/23/2011	6/23/2011	-	-	SWD	\$0.00	GRIESA MICHAEL & JULIE	GRIESA MICHAEL S & JULIE A TRUTEES GRIESA TRUST

**Legal Description :**

CHRISTOPHER CREEK HAVEN PLAT 4 LOT 2

**Building Count :**

Bldg ID	Occupancy	Built As	Quality	Sq Ft	Year
1.00	Single Family Residential	Ranch 1 Story	Average	1402	1979
2.00	Residential Yard Improvements	Residential Yard Improvements	Average	1	2004

**Valuation:**

<b>Value Method:</b>	Cost	<b>Full Cash Value (FCV):</b>	\$172,745.00	<b>Use Code:</b>	0133
		<b>Limited Value (LPV):</b>	\$159,540.00	<b>Property Use:</b>	0133-SFR-010-3 RURAL SUBDIV
<b>Assessment Ratio:</b>	10.00 %	<b>Assessed FCV:</b>	\$17,274.00		
		<b>Assessed LPV:</b>	\$17,274.00		

**Disclaimer:**

The Assessor's Office has compiled information on this website that it uses to identify, classify, and value real and personal property. This website is not updated in 'real time.' The Assessor does not guarantee that any information provided on this website is accurate, complete, or current. The information provided on this site is not equivalent of a title report or a real estate survey. Users should independently research, investigate, and verify all information before relying on it or in the preparation of legal documents. Please contact (928) 402-8714 if you believe any information is incomplete, out of date, or incorrect so that the appropriate correction can be addressed. Please note that a statutory process is available to correct errors pursuant to Arizona Revised Statutes 42-16254

⑨

## **Berumen, Therese C**

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**From:** Kaufman, Jade  
**Sent:** Friday, May 11, 2018 4:10 PM  
**To:** Berumen, Therese C; Gould, Robert  
**Subject:** admin variance app  
**Attachments:** SKMBT\_C552D18051115540.pdf

Hi!

This is as an Admin Variance application for an exempt structure in Christopher Creek. It was a complaint that came in that the structure was "on the property line". They are going to be able to move it 3' from the side setback. That is the only room that they have to work with.

Thanks,

Jade Kaufman  
928-474-7112

**From:** scanner@gilacountyaz.gov <scanner@gilacountyaz.gov>  
**Sent:** Friday, May 11, 2018 3:54 PM  
**To:** Kaufman, Jade <jkaufman@gilacountyaz.gov>  
**Subject:** Message from KMBT\_C552DS

(10)



SEE MAP 303-08

TONTO NATIONAL FOREST  
R05 4715

SEE MAP 303-10  
2 of 3

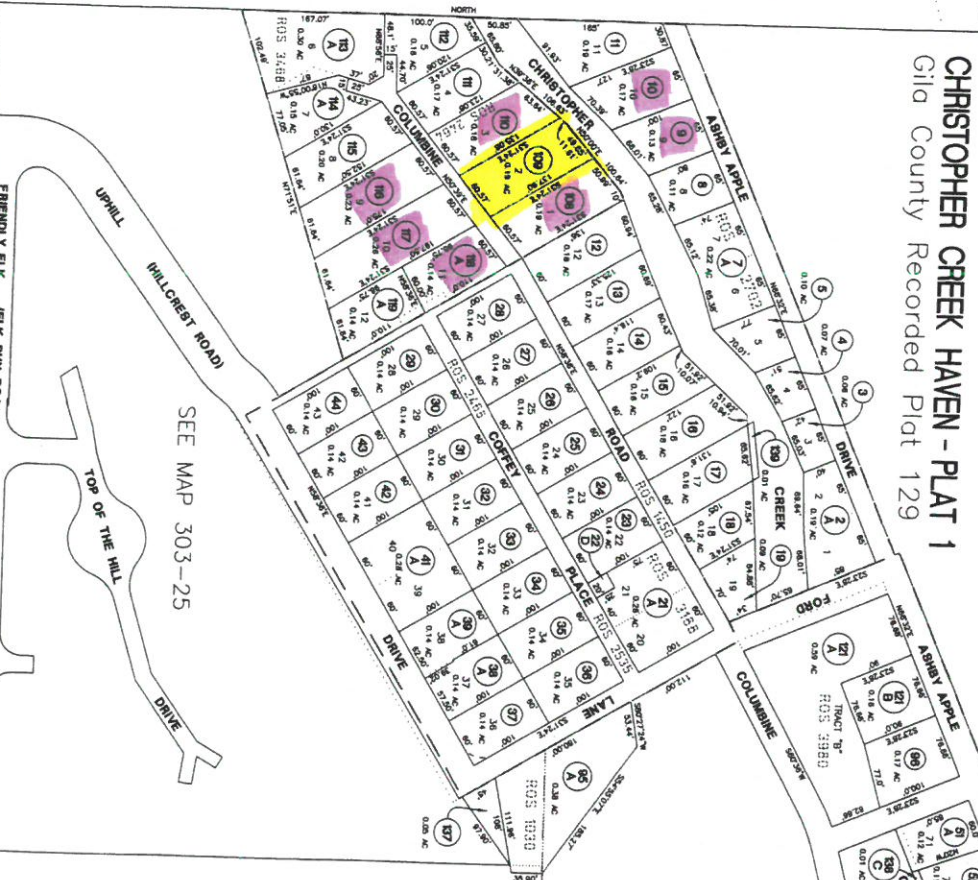
303-10  
1 of 3  
CODE 1001  
UPDATED 6-19-17

SEE MAP 303-08

**CHRISTOPHER CREEK HAVEN - PLAT 1**  
Gila County Recorded Plat 129

SEE MAP 303-08

**CHRISTOPHER CREEK HAVEN PLAT FOUR**  
Gila County Recorded Plat 415



SEE MAP 303-25

**CHRISTOPHER CREEK HAVEN PLAT NUMBER THREE**  
Gila County Recorded Plat 201  
**CHRISTOPHER CREEK HAVEN - PLAT "2"**  
Gila County Recorded Plat 180

TONTO NATIONAL FOREST  
R05 4715

SEE MAP 303-07 1 of 6



SCALE = 1" = 100'

(C) = CALCULATED  
(R) = RECORDED

"FOR INFORMATION ONLY, NO LIABILITY ASSUMED."



TONTO NATIONAL FOREST  
R05 4715

SEE MAP 303-07 1 of 6

**303-10-104** **Grisa Applicant**  
**Adjoining Properties**

**GILA COUNTY ASSESSOR**

Use Avery Template 5160  
Julie Griesa  
920 E. Waltann Lane  
Phoenix, AZ 85022

Lynne Silva Trustee  
Laps Trust  
3370 E. Tanglewood Dr.  
Phoenix, AZ 85048

Jennifer James  
1036 Columbine Rd.  
Payson, AZ 85541

Robert & Dori Hartman  
13510 N. Manzanita Ln.  
Fountain Hills, AZ 85268

Karen Lafferty Trustee/Trust  
PO Box 8390  
Scottsdale, AZ 85252

Robert & Betty Lusson  
1059 W. Columbine Rd.  
Payson, AZ 85541

Peter & Kathryne Rowe  
10241 N. 25<sup>th</sup> St.  
Phoenix, AZ 85028

Mark & Kelly Mccay  
19970 N. 108<sup>th</sup> Ave.  
Sun City, AZ 85373

(12)

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608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

## GILA COUNTY COMMUNITY DEVELOPMENT

July 12, 2018

Julie Griesa  
920 East Waltann Lane  
Phoenix, Arizona 85022

Re: Administrative Variance (AV-18-10)  
APN: 303-10-109  
Existing Zoning: GU  
Location: 1058 West Columbine, Christopher Creek, Arizona  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Ms. Griesa,

Your application for an Administrative Variance to permit a 3' side yard setback for a storage shed has been approved due to special circumstances applicable to your property. For example, there are several mature trees and an existing propane tank on the eastern portion of your property which would make it difficult to relocate the storage shed in that area. Additionally, given the placement of the primary structure, the relative narrowness of your property and vegetation in the rear yard, it appears that it would be difficult to re-locate the storage shed in any other location.

Moving the storage shed to the west to accommodate the 3' side yard setback will result in the storage shed being located closer than 6' from the primary residential structure which is the minimum distance required between buildings without the buildings being attached. Normally, this would trigger the need to obtain a variance from the Gila County Zoning Ordinance before the Gila County Board of Adjustment. There is a building code provision; however, that permits accessory structures of less than 200 square feet to be exempt from the requirement of wall protection in case of fire, which is the principal reason for the 6' building separation. Therefore, a variance will not be necessary.

This approval will become effective August 3, 2018 which is 15 working days from the date of this letter. Notice of this approval will be sent by U.S. mail to adjoining property owners, who will have the opportunity to appeal this decision. If any appeal is received, you will be notified by U.S. mail and provided with the date of the appeal hearing. Per Gila County Zoning Ordinance Section 101.3 A (5) all appeals are to be heard by the Gila County Board of Adjustment.

Should you have any questions or concerns regarding this matter, please feel free to contact me at (480) 228-2150 or by email at [mdahlke@gilacountyaz.gov](mailto:mdahlke@gilacountyaz.gov).

Sincerely,

*Michelle Dahlke*  
Michelle Dahlke  
Senior Planner

(13)



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Globe, Arizona 85501  
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## GILA COUNTY COMMUNITY DEVELOPMENT

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July 12, 2018

Lynne Silva  
3370 E. Tanglewood Dr.  
Phoenix, AZ 85048

Re: Administrative Variance (AV-18-10)  
APN: 303-10-109  
Existing Zoning: GU  
Location: 1058 West Columbine, Christopher Creek, Arizona  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Ms. Silva,

Julie Griesa submitted an application for an Administrative Variance to our office. This application was a request to allow a 3-foot side yard setback, instead of the required 7-foot, for the placement of an existing exempt structure located at 1058 W. Columbine, Christopher Creek, AZ. This Administrative Variance has been approved by our department due to special circumstances applicable to her property. For example, there are several mature trees and an existing propane tank on the eastern portion of her property which would make it difficult to relocate the storage shed in that area. Additionally, given the placement of the primary structure, the relative narrowness of her property and vegetation in the rear yard, it appears that it would be difficult to re-locate the storage shed in any other location. Section 101.3 (A)(1) of the Gila County Zoning Ordinance Z 15-03 allows for an Administrative Variance to be approved when compliance with the minimum building setback regulations creates a hardship and there is minimal impact to adjoining property uses. This approval will become effective on August 3, 2018.

You are receiving this letter because your property is adjacent to 1058 W. Columbine. You have the right to appeal this decision and have until August 2, 2018, to file a written request of appeal. All appeals must be received in our office by close of business on August 2, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 (A)(5) appeals will be heard by the Gila County Board of Adjustment.

Should you have any questions or concerns regarding this matter, please feel free to contact me at (480) 228-2150 or by email at [mdahlke@gilacountyaz.gov](mailto:mdahlke@gilacountyaz.gov).

Sincerely,

*Michelle Dahlke*  
Michelle Dahlke  
Senior Planner

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Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

---

July 12, 2018

Mark & Kelly Mccay  
19970 N. 108<sup>th</sup> Ave.  
Sun City, AZ 85373

Re: Administrative Variance (AV-18-10)  
APN: 303-10-109  
Existing Zoning: GU  
Location: 1058 West Columbine, Christopher Creek, Arizona  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Mr. and Mrs. Mccay,

Julie Griesa submitted an application for an Administrative Variance to our office. This application was a request to allow a 3-foot side yard setback, instead of the required 7-foot, for the placement of an existing exempt structure located at 1058 W. Columbine, Christopher Creek, AZ. This Administrative Variance has been approved by our department due to special circumstances applicable to her property. For example, there are several mature trees and an existing propane tank on the eastern portion of her property which would make it difficult to relocate the storage shed in that area. Additionally, given the placement of the primary structure, the relative narrowness of her property and vegetation in the rear yard, it appears that it would be difficult to re-locate the storage shed in any other location. Section 101.3 (A)(1) of the Gila County Zoning Ordinance Z 15-03 allows for an Administrative Variance to be approved when compliance with the minimum building setback regulations creates a hardship and there is minimal impact to adjoining property uses. This approval will become effective on August 3, 2018.

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Sincerely,

*Michelle Dahlke*  
Michelle Dahlke  
Senior Planner

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FAX (928) 474-0802

---

## GILA COUNTY COMMUNITY DEVELOPMENT

---

July 12, 2018

Karen Lafferty  
PO Box 8390  
Scottsdale, AZ 85252

Re: Administrative Variance (AV-18-10)  
APN: 303-10-109  
Existing Zoning: GU  
Location: 1058 West Columbine, Christopher Creek, Arizona  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Ms. Lafferty,

Julie Griesa submitted an application for an Administrative Variance to our office. This application was a request to allow a 3-foot side yard setback, instead of the required 7-foot, for the placement of an existing exempt structure located at 1058 W. Columbine, Christopher Creek, AZ. This Administrative Variance has been approved by our department due to special circumstances applicable to her property. For example, there are several mature trees and an existing propane tank on the eastern portion of her property which would make it difficult to relocate the storage shed in that area. Additionally, given the placement of the primary structure, the relative narrowness of her property and vegetation in the rear yard, it appears that it would be difficult to re-locate the storage shed in any other location. Section 101.3 (A)(1) of the Gila County Zoning Ordinance Z 15-03 allows for an Administrative Variance to be approved when compliance with the minimum building setback regulations creates a hardship and there is minimal impact to adjoining property uses. This approval will become effective on August 3, 2018.

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Sincerely,

*Michelle Dahlke*  
Michelle Dahlke  
Senior Planner

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## GILA COUNTY COMMUNITY DEVELOPMENT

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July 12, 2018

Peter & Kathryne Rowe  
10241 N. 25<sup>th</sup> St.  
Phoenix, AZ 85028

Re: Administrative Variance (AV-18-10)  
APN: 303-10-109  
Existing Zoning: GU  
Location: 1058 West Columbine, Christopher Creek, Arizona  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Mr. and Mrs. Rowe,

Julie Griesa submitted an application for an Administrative Variance to our office. This application was a request to allow a 3-foot side yard setback, instead of the required 7-foot, for the placement of an existing exempt structure located at 1058 W. Columbine, Christopher Creek, AZ. This Administrative Variance has been approved by our department due to special circumstances applicable to her property. For example, there are several mature trees and an existing propane tank on the eastern portion of her property which would make it difficult to relocate the storage shed in that area. Additionally, given the placement of the primary structure, the relative narrowness of her property and vegetation in the rear yard, it appears that it would be difficult to re-locate the storage shed in any other location. Section 101.3 (A)(1) of the Gila County Zoning Ordinance Z 15-03 allows for an Administrative Variance to be approved when compliance with the minimum building setback regulations creates a hardship and there is minimal impact to adjoining property uses. This approval will become effective on August 3, 2018.

You are receiving this letter because your property is adjacent to 1058 W. Columbine. You have the right to appeal this decision and have until August 2, 2018, to file a written request of appeal. All appeals must be received in our office by close of business on August 2, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 (A)(5) appeals will be heard by the Gila County Board of Adjustment.

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Sincerely,

*Michelle Dahlke*  
Michelle Dahlke  
Senior Planner

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(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

---

## GILA COUNTY COMMUNITY DEVELOPMENT

---

July 12, 2018

Robert & Dori Hartman  
13510 N. Manzanita Ln.  
Fountain Hills, AZ 85268

Re: Administrative Variance (AV-18-10)  
APN: 303-10-109  
Existing Zoning: GU  
Location: 1058 West Columbine, Christopher Creek, Arizona  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Mr. and Mrs. Hartman,

Julie Griesa submitted an application for an Administrative Variance to our office. This application was a request to allow a 3-foot side yard setback, instead of the required 7-foot, for the placement of an existing exempt structure located at 1058 W. Columbine, Christopher Creek, AZ. This Administrative Variance has been approved by our department due to special circumstances applicable to her property. For example, there are several mature trees and an existing propane tank on the eastern portion of her property which would make it difficult to relocate the storage shed in that area. Additionally, given the placement of the primary structure, the relative narrowness of her property and vegetation in the rear yard, it appears that it would be difficult to re-locate the storage shed in any other location. Section 101.3 (A)(1) of the Gila County Zoning Ordinance Z 15-03 allows for an Administrative Variance to be approved when compliance with the minimum building setback regulations creates a hardship and there is minimal impact to adjoining property uses. This approval will become effective on August 3, 2018.

You are receiving this letter because your property is adjacent to 1058 W. Columbine. You have the right to appeal this decision and have until August 2, 2018, to file a written request of appeal. All appeals must be received in our office by close of business on August 2, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 (A)(5) appeals will be heard by the Gila County Board of Adjustment.

Should you have any questions or concerns regarding this matter, please feel free to contact me at (480) 228-2150 or by email at [mdahlke@gilacountyaz.gov](mailto:mdahlke@gilacountyaz.gov).

Sincerely,

*Michelle Dahlke*

Michelle Dahlke  
Senior Planner



745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

---

## GILA COUNTY COMMUNITY DEVELOPMENT

---

July 12, 2018

Robert & Betty Lusson  
1059 W. Columbine Rd.  
Payson, AZ 85541

Re: Administrative Variance (AV-18-10)  
APN: 303-10-109  
Existing Zoning: GU  
Location: 1058 West Columbine, Christopher Creek, Arizona  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Mr. and Mrs. Lusson,

Julie Griesa submitted an application for an Administrative Variance to our office. This application was a request to allow a 3-foot side yard setback, instead of the required 7-foot, for the placement of an existing exempt structure located at 1058 W. Columbine, Christopher Creek, AZ. This Administrative Variance has been approved by our department due to special circumstances applicable to her property. For example, there are several mature trees and an existing propane tank on the eastern portion of her property which would make it difficult to relocate the storage shed in that area. Additionally, given the placement of the primary structure, the relative narrowness of her property and vegetation in the rear yard, it appears that it would be difficult to re-locate the storage shed in any other location. Section 101.3 (A)(1) of the Gila County Zoning Ordinance Z 15-03 allows for an Administrative Variance to be approved when compliance with the minimum building setback regulations creates a hardship and there is minimal impact to adjoining property uses. This approval will become effective on August 3, 2018.

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Should you have any questions or concerns regarding this matter, please feel free to contact me at (480) 228-2150 or by email at [mdahlke@gilacountyaz.gov](mailto:mdahlke@gilacountyaz.gov).

Sincerely,

*Michelle Dahlke*

Michelle Dahlke  
Senior Planner

PLANNING & ZONING • BUILDING SAFETY • WASTEWATER • CODE ENFORCEMENT



745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

---

## GILA COUNTY COMMUNITY DEVELOPMENT

---

July 12, 2018

Jennifer James  
1036 Columbine Rd.  
Payson, AZ 85541

Re: Administrative Variance (AV-18-10)  
APN: 303-10-109  
Existing Zoning: GU  
Location: 1058 West Columbine, Christopher Creek, Arizona  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Ms. James,

Julie Griesa submitted an application for an Administrative Variance to our office. This application was a request to allow a 3-foot side yard setback, instead of the required 7-foot, for the placement of an existing exempt structure located at 1058 W. Columbine, Christopher Creek, AZ. This Administrative Variance has been approved by our department due to special circumstances applicable to her property. For example, there are several mature trees and an existing propane tank on the eastern portion of her property which would make it difficult to relocate the storage shed in that area. Additionally, given the placement of the primary structure, the relative narrowness of her property and vegetation in the rear yard, it appears that it would be difficult to re-locate the storage shed in any other location. Section 101.3 (A)(1) of the Gila County Zoning Ordinance Z 15-03 allows for an Administrative Variance to be approved when compliance with the minimum building setback regulations creates a hardship and there is minimal impact to adjoining property uses. This approval will become effective on August 3, 2018.

You are receiving this letter because your property is adjacent to 1058 W. Columbine. You have the right to appeal this decision and have until August 2, 2018, to file a written request of appeal. All appeals must be received in our office by close of business on August 2, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 (A)(5) appeals will be heard by the Gila County Board of Adjustment.

Should you have any questions or concerns regarding this matter, please feel free to contact me at (480) 228-2150 or by email at [mdahlke@gilacountyaz.gov](mailto:mdahlke@gilacountyaz.gov).

Sincerely,

*Michelle Dahlke*  
Michelle Dahlke  
Senior Planner

PLANNING & ZONING • BUILDING SAFETY • WASTEWATER • CODE ENFORCEMENT

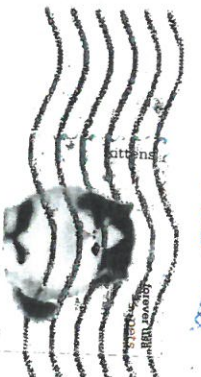


J. Naves  
1036 W. Columbine Rd.  
Payson, AZ 85541

RECEIVED  
JUL 30 2018

Michelle Dahlke  
Senior Planner  
Gila County Community Dev.  
745 N. Rose Mofford Way  
Globe, AZ 85501

PHOENIX AZ 852  
28 JUL 2018 PM 8 L



85501-447145



July 27, 2018

Michelle Dahlke  
Senior Planner  
Gila County Community Development  
745 N. Rose Mofford Way  
Globe, AZ 85501

RECEIVED

JUL 30 2018

Re: Administrative Variance (AV-18-10)  
APN: 303-10-109  
1058 W. Columbine Rd, Christopher Creek, AZ  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Ms. Dahlke,

I am writing to appeal the above referenced Administrative Variance (AV-18-10) for the following reasons:

1. The Applicant's request for the Administrative Variance does not represent the actual conditions re: the exempt shed and its location on the property. The Site Plan included with the Applicant's request indicates that only one (1) exempt structure (shed) is located on the property within the setback in question. However, there are two (2) sheds at the location in question and both are currently within the proposed 3' setback.
2. The Site Plan included with the Applicant's request indicates that the shed is 3' off the East property line. However, the two (2) existing sheds are currently located approximately 3" +/- of the East property line (contiguous with my property) onto my property and will need to be moved to the west to comply with the 3' setback being requested by the Variance.

Given the above, I would like to request that the Applicant be required to move the two sheds away from the East property line to comply with the 3' setback being considered.

Sincerely,

  
Jennifer James

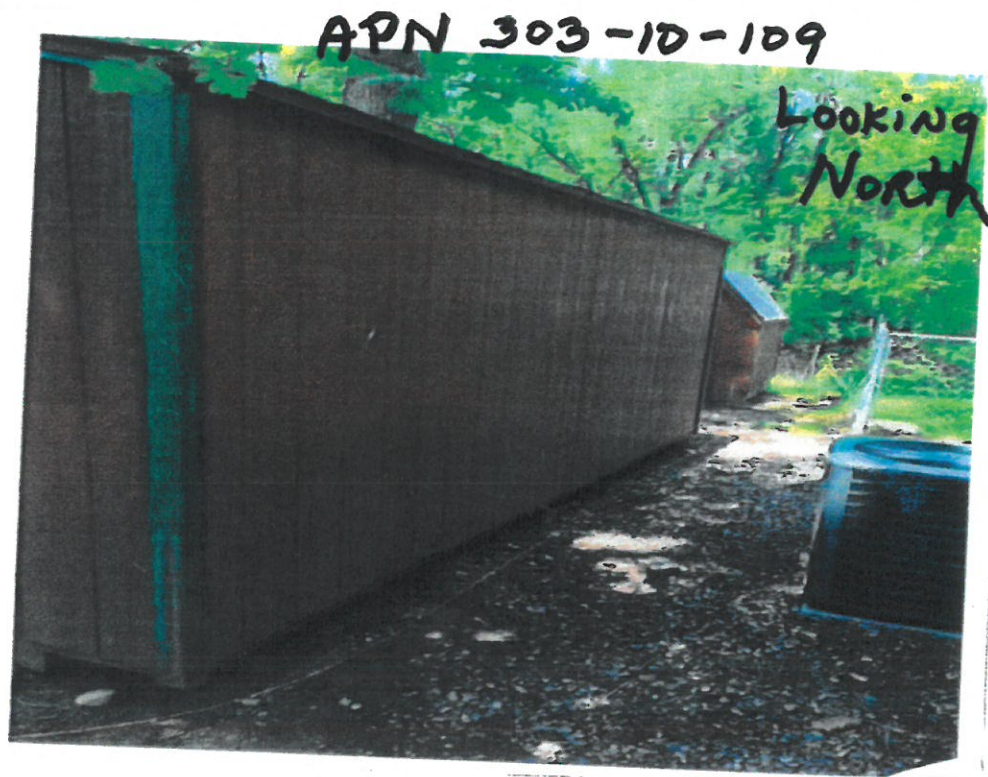
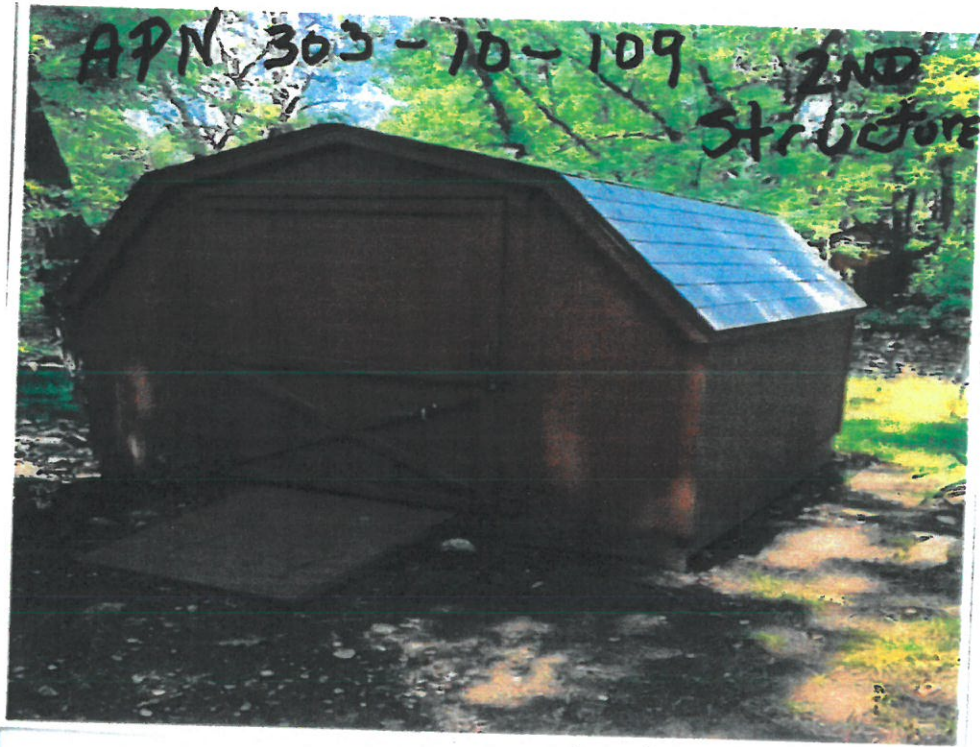
1036 W. Columbine Rd.  
Christopher Creek, AZ 85541  
APN: 303-10-108  
602-540-5540  
jennifer@jennifer salon.com

22



RECEIVED

JUL 30 2018







APN 303-10-109 Looking South

RECEIVED  
JUL 30 2018

(24)

745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

---

## GILA COUNTY COMMUNITY DEVELOPMENT

---

July 30, 2018

Jennifer James  
1036 Columbine Rd.  
Payson, AZ 85541

Re: Administrative Variance (AV-18-10) Appeal  
APN: 303-10-109  
Existing Zoning: GU  
Location: 1058 W. Columbine, Christopher Creek, AZ  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Ms. James,

We have received your appeal to Julie Griesa's Administrative Variance application (AV-18-10). This appeal is scheduled to be heard by the Board of Adjustment on August 16, 2018 at 9:00 A.M., in our Payson office at 610 E. Hwy 260. It is recommended that you be present at this hearing to answer any questions the Board may have. You will also be receiving an agenda packet for the meeting, a week prior to the meeting.

Should you have any questions or concerns regarding this matter, please feel free to contact me at (480) 228-2150 or by email at [mdahlke@gilacountyaz.gov](mailto:mdahlke@gilacountyaz.gov).

Sincerely,

Michelle Dahlke  
Senior Planner



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608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

---

## GILA COUNTY COMMUNITY DEVELOPMENT

---

July 30, 2018

Julie Griesa  
920 East Waltann Lane  
Phoenix, AZ 85022

Re: Administrative Variance (AV-18-10) Appeal  
APN: 303-10-109  
Existing Zoning: GU  
Location: 1058 W. Columbine, Christopher Creek, AZ  
Request: To allow a 3' side yard setback for an existing exempt structure

Dear Ms. Griesa,

We have received an appeal to your Administrative Variance application (AV-18-10). This appeal is scheduled to be heard by the Board of Adjustment on August 16, 2018 at 9:00 A.M., in our Payson office at 610 E. Hwy 260. It is recommended that you be present at this hearing to answer any questions the Board may have. You will also be receiving an agenda packet for the meeting, a week prior to the meeting.

Should you have any questions or concerns regarding this matter, please feel free to contact me at (480) 228-2150 or by email at [mdahlke@gilacountyaz.gov](mailto:mdahlke@gilacountyaz.gov).

Sincerely,

Michelle Dahlke  
Senior Planner



**STAFF REPORT  
TO THE  
BOARD OF ADJUSTMENT**

**APPEAL OF APPLICATION U-18-06**



**U-18-06  
Public Hearing  
August 16, 2018  
610 E. Highway 260  
Payson, AZ**

## I. Application

<b>Applicant Name</b>	Christopher Pfeil
<b>Applicant Address</b>	915 North Deer Creek Drive, Payson, Arizona
<b>Site Address</b>	Same as above
<b>APN Number(s)</b>	304-36-078
<b>Current Zoning</b>	R1-D10-TD
<b>General Plan Designation</b>	Residential (0.4 – 1.0 units per acre)
<b>Application Number</b>	U-18-06

## II. Background

The applicant, Christopher Pfeil, submitted a request for a use permit to allow eight dogs and eight pot-bellied pigs on his property to address a complaint received by the Gila County Code Enforcement Department. On June 21, 2018, a decision letter was issued which approved the portion of the use permit for the eight dogs subject to conditions but denied the portion related to the pot-bellied pigs.

Mr. Pfeil submitted an appeal letter on July 10, 2018 which was received on July 12, 2018. Mr. Pfeil is requesting that the County consider amending its zoning ordinance to change the classification of pets to include pot-bellied pigs, citing a Town of Payson Zoning Ordinance provision which permits pot-bellied pigs. Mr. Pfeil also cited a City of Globe Municipal Code amendment to make an exception for pot-bellied pigs. Please note that the use permit decision letter and Mr. Pfeil's appeal letter are attached to this report.

### Town of Payson Zoning Ordinance Definition of a Pet

**PET:** Domestic animal under 150 pounds raised and kept in a dwelling unit or on a residential lot for individual or family use and may include dogs, cats, rabbits, birds, potbellied pigs (not pigs or swine raised for food or sale) and small caged animals among other species.

### City of Globe Amendment to Chapter 7 – Animal Control

B Consideration of Ordinance No. 836, amending Section 7-1-8  
Swine prohibited, to include an exception for Miniature Pigs (Chris Collopy)

**ORDINANCE NO. 836** – AN ORDINANCE OF THE CITY OF GLOBE, COUNTY OF GILA, STATE OF ARIZONA, AMENDING THE GLOBE CITY CODE BY AMENDING SECTION 7-1-8 SWINE PROHIBITED, TO INCLUDE AN EXCEPTION FOR MINIATURE PIGS, REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

City Clerk, Shelly Salazar reads Ordinance No. 836 by title only into the meeting for the final reading. Council is satisfied with the reading.

**Motion:** Approve Ordinance No. 836, Amending the City Code by Amending Section 7-1-8 Swine prohibited, to include and exception for Miniature pigs. **Action:** Approve. **Moved by** Councilman Lerry Alderman. **Seconded by** Councilman Mike Stapleton  
Motion passed unanimously





Photo of the Pfeil Residence

As part of staff's initial evaluation of the use permit request, a detailed review of the Gila County Zoning Ordinance was conducted to determine if pot-bellied pigs were defined as a household pet or otherwise permitted in any zoning district. It was determined that pot-bellied pigs are not classified as household pets or domestic farm-type animals in the Gila County Zoning Ordinance and that they fall under the category of swine which are defined as livestock. The results of this research, along with the relative small size of the subject property in a residential area, were factors in denying the use permit.

Site visits conducted by County Community Development staff also played a role in the decision. For example, a site visit revealed strong odors and a considerable number of flies on the subject property. Additionally, a statement made by Mr. Pfeil to staff indicating that he was breeding the pigs to obtain a desirable hair color was concerning. Another factor in denying the use permit was due to written comments from surrounding neighbors and a verbal comment from the President of the Deer Creek HOA were received opposing approval of the use permit request.

The Community Development Department is not opposed to exploring a revision to the Zoning Ordinance to permit pot-bellied pigs in certain areas or under certain conditions. This could be done at the direction of the Board of Adjustment, it could be staff-initiated or initiated by Mr. Pfeil himself per Section 105.1 of the Gila County Zoning Ordinance. Amending the zoning ordinance is not a quick process; however and will take time. According to Mr. Pfeil's appeal letter, he is concerned about having to find good homes for his pot-bellied pigs now and has tried to no avail to find homes for them since the use permit was denied.

The nature of the appeal appears to be related to both a plea for an interpretation of the Gila County Zoning Ordinance and for a variance to permit the eight pot-bellied pigs to remain on the property subject to a commitment from Mr. Pfeil to reduce flies and odors, to not breed the animals and to take proper care of them.

Community Development staff maintains its position that the Zoning Ordinance currently defines all breed of swine as livestock and not as a household pet or domestic farm animal and therefore the pot-bellied pigs are not currently permitted.

### III. Recommendation

Staff recommends the Board of Adjustment uphold the June 21, 2018 decision letter to approve the request to allow the eight dogs but deny the request to permit eight pot-bellied pigs on the subject property. In the event the Board of Adjustment chooses to approve the use permit request in its entirety, staff suggests the following conditions of approval.

1. Maintain the following conditions, as stated in the use permit approval, related to the eight dogs:
  - a. The breed of the dogs shall be of the small variety – 20 pounds or less in weight. The dogs will remain indoors except for “bathroom breaks” as stated in the Use Permit application.
  - b. Measures shall be taken to ensure that the yard is regularly maintained to remove dog waste.
  - c. Barking is to be kept to a minimum.
  - d. Dogs are to remain current on all vaccinations and licensing required by Gila County Animal Control.
  - e. Both Gila County Health Department and Animal Control have the right to conduct site visits to ensure the health and welfare of the dogs.
  - f. This Use Permit is subject to an annual re-evaluation if deemed necessary.
  - g. Violating any of these conditions shall result in the cancellation of this Use Permit.
  - h. Valid public nuisance complaints received from adjacent or nearby property owners concerning the dogs, shall result in the cancellation of this Use Permit.
2. The following conditions are specific to the pot-bellied pigs:
  - a. There shall be no more than two pot-bellied pigs on the property.
  - b. The pot-bellied pigs must not be free to roam the property and should have a designated area when outside. At no time shall the pot-bellied pigs be caged or permitted in the side yards adjacent to adjoining properties.
  - c. Measures will be taken to ensure that the yard is regularly maintained to remove waste.
  - d. There shall be no breeding permitted.
  - e. Both Gila County Health Department and Animal Control have the right to conduct site visits to ensure the health and welfare of the pot-bellied pigs.
  - f. This Use Permit is subject to an annual re-evaluation if deemed necessary.
  - g. Violating any of these conditions shall result in the cancellation of this Use Permit.
  - h. Valid public nuisance complaints received from adjacent or nearby property owners concerning the pot-bellied pigs, shall result in the cancellation of this Use Permit.



**Gila County Community Development Division  
Planning & Zoning Department**

745 N Rose Mofford Way, Globe, AZ 85501  
(928) 425-3231 EXT 8513 or 8514, Fax: (928) 425-0829  
or  
608 E Highway 260, Payson, AZ 85541  
(928) 474-9276  
Fax: (928) 474-0802

**APPLICATION FOR A USE PERMIT**

File No.: U-18-06 Permit No.: A1805-004

**APPLICANT INFORMATION**

Name: Christopher Pfeil Phone: 928-595-2357  
Mailing Address: 915 N. DEER CREEK Drive, Payson AZ 85541  
Property Owner (If different from Applicant): Same as above  
Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Assessor Parcel No.: 30436078  
Property Address: 915 N DEER CREEK Drive, Payson AZ 85541  
Zoning: B1-D10 +TD  
Proposed Use: Housing of Pet Pot Bellied Pigs - currently 8  
that have not been a nuisance and also 8 Dogs.  
Dogs Remain Indoors except for when I take them out  
through out the day

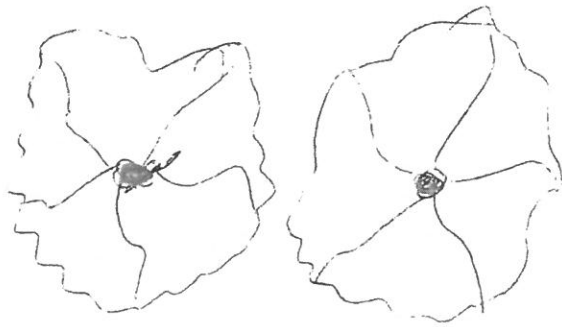
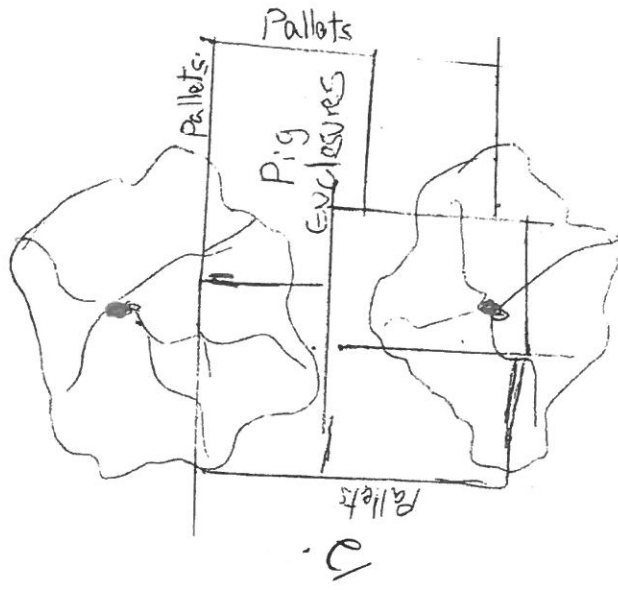
**Attach the Site Plan and other required information.**

Signature: Christopher R Pfeil Date: 4/30/18

**OFFICE USE ONLY:**

Date of Administrative Hearing: 5/17/18 @ 1:00pm - Rescheduled for 5/31/18 @ 10:00AM  
Approved: X (household pets) dogs Denied: X (livestock) swine  
Stipulations (If Any): \* See June 21, 2018 Approval/Denial Letter

Department Signature: \_\_\_\_\_ Date: \_\_\_\_\_



gate

915 : DEER CREEK Drive

House

front porch

gate

WORK SHOP

CAR PORT

Christopher Pfeil

2.11.21 AM

915 N. Deer Creek Drive

Deer Creek Dr



**Gila County Property Report**

Tuesday, May 01, 2018

Account #: R000036116

Parcel #: 304-36-078

Appraisal Year : 2018

Acct Type : MH Affixed

Tax District : 1000

Map # : 36

Parcel Size : 0.26 acres

**Owner Name and Address :**

PFEIL CHRISTOPHER R &  
HEAD LISA R  
915 N DEER CREEK DR  
PAYSON AZ 85541

**Property Location :**

915 N DEER CREEK DR No #  
PAYSON AZ 85541-0000 MH Space

**Business/Complex :****Property Sales History**

Sale Date	Doc Date	Book	Page	Type	Amount	Grantor	Grantee
1/1/2005	1/1/2005	-	513018	JT	\$16,000.00	-	-
3/6/2002	3/6/2002	-	3781	WD	\$87,500.00	-	-
4/1/2017	4/26/2017	-	-	JT	\$90,000.00	CONWAY EDWARD C JR & BETTY SUE	PFEIL CHRISTOPHER R & HEAD LISA R

**Legal Description :**

LOT 68 OF DEER CREEK VILLAGE OF PLAT 589NE1/4 SEC 5 T8N R10E = 0.26 AC (OUT OF 304-36-003C)/A/A 1984 14X56 PROGRESSIVE MH VIN PHIAZ84026 DKT 898-3243

**Building Count :**

Bldg ID	Occupancy	Built As	Quality	Sq Ft	Year
1.00	Affixed Mobile Home	Single Wide	Average	784	1984
2.00	Mobile Home Yard Improvements	Mobile Home Yard Improvements	Average	1	1984
3.00	Mobile Home Yard Improvements	Mobile Home Yard Improvements	Average	1	1986
4.00	Mobile Home Yard Improvements	Mobile Home Room Addition	Average	1	1987

**Valuation:**

<b>Value Method:</b>	Cost	<b>Full Cash Value (FCV):</b>	\$62,946.00	<b>Use Code:</b>	0829
		<b>Limited Value (LPV):</b>	\$58,697.00	<b>Property Use:</b>	0829-MH SUB LOT W/AFFX MH
<b>Assessment Ratio:</b>	10.00 %	<b>Assessed FCV:</b>	\$6,295.00		
		<b>Assessed LPV:</b>	\$6,295.00		

**Disclaimer:**

The Assessor's Office has compiled information on this website that it uses to identify, classify, and value real and personal property. This website is not updated in 'real time.' The Assessor does not guarantee that any information provided on this website is accurate, complete, or current. The information provided on this site is not equivalent of a title report or a real estate survey. Users should independently research, investigate, and verify all information before relying on it or in the preparation of legal documents. Please contact (928) 402-8714 if you believe any information is incomplete, out of date, or incorrect so that the appropriate correction can be addressed. Please note that a statutory process is available to correct errors pursuant to Arizona Revised Statutes 42-16254

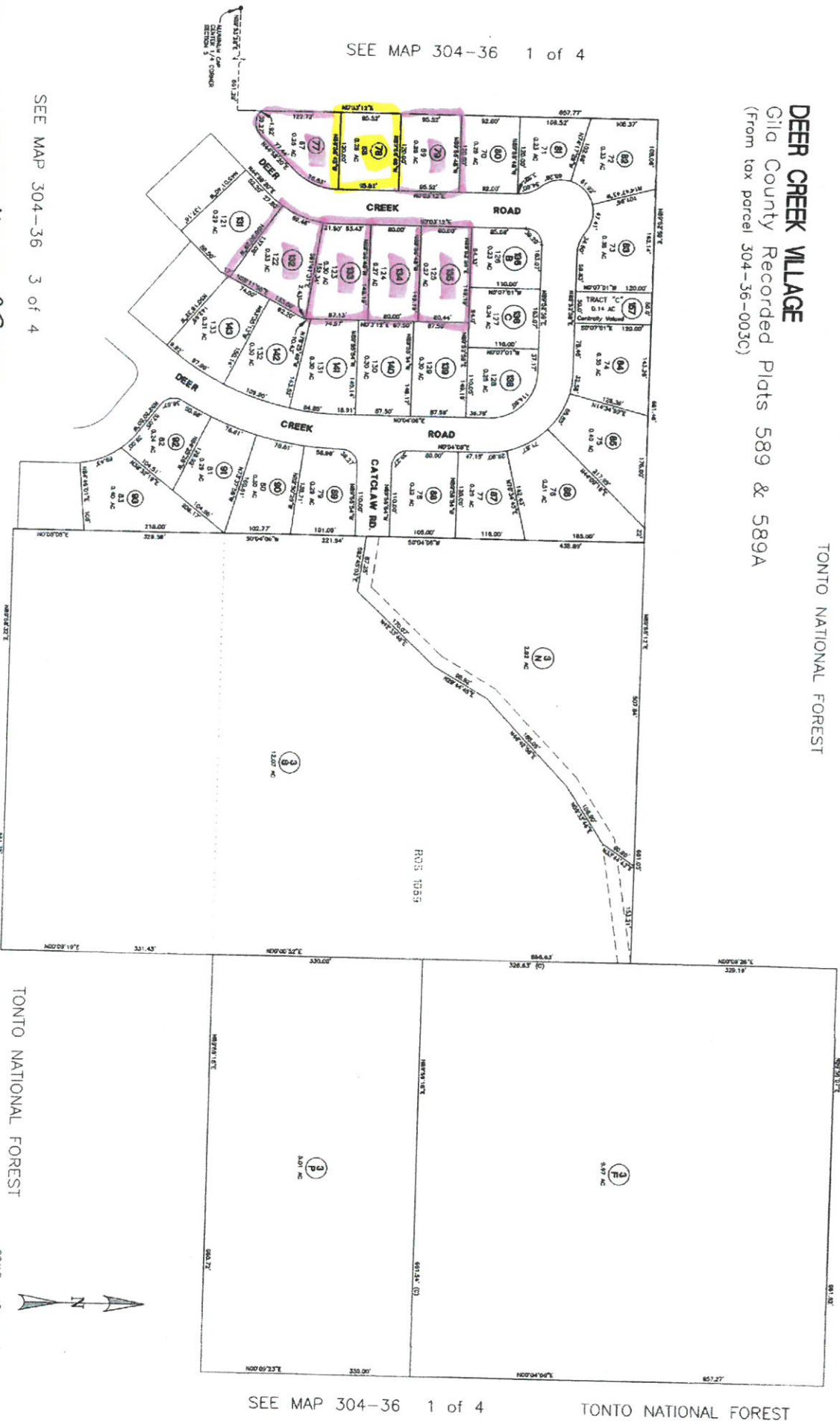
33

**DEER CREEK VILLAGE**  
Gila County Recorded Plats 589 & 589A  
(From tax parcel 304-36-0030)

TONTO NATIONAL FOREST

SEE MAP 304-36 1 of 4

**304-36**  
4 of 6  
CODE 1000  
UPDATED 10-31-12



SEE MAP 304-36 1 of 4

TONTO NATIONAL FOREST

SEE MAP 304-36 3 of 4

**304-36-008 Applicant Pfeil**

*Adjoining property owners*

SEE MAP 304-36 1 of 4

TONTO NATIONAL FOREST

SCALE = 1" = 100'

(C) = CALCULATED

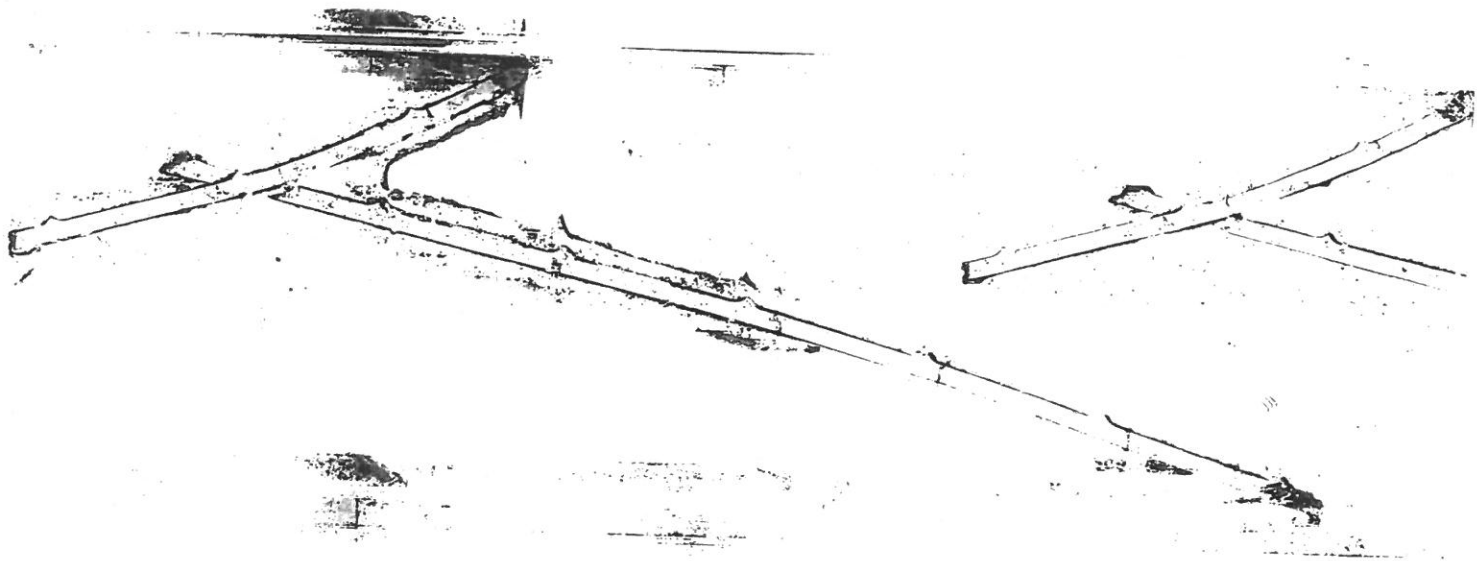
(R) = RECORDED

"FOR INFORMATION ONLY, NO LIABILITY ASSUMED."

**GILA COUNTY ASSESSOR**

34





Christopher Pfeil  
Lisa Head  
915 N. Deer Creek Dr.  
Payson, AZ 85541

Elisabeth Lee  
3723 W. 100<sup>th</sup> Ave.  
Anchorage, AK 99515

Deer Creek HOA  
Jim Stevens  
123 N. Deer Creek Drive  
Payson, AZ 85541

William & Deanna Bauer  
896 N. Deer Creek Dr.  
Payson, AZ 85541

Richard Sambrano  
Dawn Wilson  
8601 N. 103<sup>rd</sup> Ave. #42  
Peoria, AZ 85345

Larry & Elisa Gereaux  
378 S Elm Dr.  
Payson, AZ 85541

James & Cynthia Vreeland  
903 N. Deer Creek Rd.  
Payson, AZ 85541

John & Margaret Miles  
PO Box 2324  
Payson, AZ 85547

35

Gila County Community Development  
745 N. Rose Mofford Way  
Globe, Arizona 85501  
Return Service Requested

NEOPOST  
05/21/2018  
FIRST-CLASS MAIL  
US POSTAGE \$000.47  
ZIP 85501  
041M11287618

U-18-26

Elisabeth Lee  
3723 W. 100<sup>th</sup> Ave.  
Anchorage, AK 99515

950501547145  
LEE, ELISABETH A  
RETURN TO SENDER  
TEMPORARILY AWAY  
BC: 85501447145  
\*1394-00898-21-40

Gila County Community Development  
745 N. Rose Mofford Way  
Globe, Arizona 85501  
Return Service Requested

NEOPOST  
05/21/2018  
FIRST-CLASS MAIL  
US POSTAGE \$000.47  
ZIP 85501  
041M11287618

U-18-26

Richard Sambrano  
Dawn Wilson  
8601 N. 103<sup>rd</sup> Ave #A7  
Peoria, AZ

NIXIE

850 FE 1

0005/25/18

RETURN TO SENDER  
ATTEMPTED - NOT KNOWN  
UNABLE TO FORWARD

BC: 85501447145

\*1394-00898-21-40

Found no other address

950501547145

BC: 85501447145

\*1394-00898-21-40



745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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### NOTICE OF ADMINISTRATIVE HEARING

This is your notification that an administrative hearing will be held to consider an application for a Use Permit.

DATE: May 17, 2018  
TIME: 1:00 P.M.  
LOCATION: Gila County Community Development  
608 E. Hwy 260, Payson AZ and 745 N. Rose Mofford Way, Globe AZ  
928-402-8512

This administrative hearing is to consider the following Use Permit application:  
**U-18-06, parcel number 304-36-078:** A Use Permit application to allow the applicant to house 8 pot-bellied pigs and 8 dogs. This parcel is zoned R1-D10+T.

Any comments you may have concerning this application may be presented at the administrative hearing or written comments may be filed with this office prior to the hearing date. Should you have any questions concerning this application, please contact this office at 928-402-8512. All comments are public information and subject to release.

Applicant/Property Owner, please make plans to attend this hearing. This notice is going out to the applicant (property owner) and adjoining property owners.



Robert Gould  
Planner

Dated: May 3, 2018

#### Attachments:

1. Application
2. Site Plan
3. Assessor Map

745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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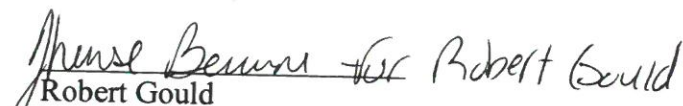
### NOTICE OF ADMINISTRATIVE HEARING

This is your notification that an administrative hearing will be held to consider an application for a Use Permit.

DATE: May 31, 2018  
TIME: 10:00 A.M.  
LOCATION: Gila County Community Development  
608 E. Hwy 260, Payson AZ and 745 N. Rose Mofford Way, Globe AZ  
928-402-8512

This administrative hearing is to consider the following Use Permit application:  
**U-18-06, parcel number 304-36-078:** A Use Permit application to allow the applicant to house 8 pot-bellied pigs and 8 dogs. This parcel is zoned R1-D10+T.

Any comments you may have concerning this application may be presented at the administrative hearing or written comments may be filed with this office prior to the hearing date. Should you have any questions concerning this application, please contact this office at 928-402-8512. All comments are public information and subject to release. Applicant/Property Owner, please make plans to attend this hearing. This notice is going out to the applicant (property owner) and adjoining property owners.

  
Robert Gould  
Planner

Dated: May 18, 2018

Attachments:

1. Application
2. Site Plan
3. Assessor Map



Tuesday, May 29, 2018

Regarding the request for a Use Permit application to allow the applicant to house 8 pot-bellied pigs and 8 dogs at U-18-06, parcel number 304-36-078. permit no P1805-004.

My name is Dianna Bauer, owner of parcel 304-36-135, 896 N. Deer Creek Dr. I am opposed to the applicant receiving a permit to house 8 pot-bellied pigs and 8 dogs.

1. The property is too small to house this many animals
2. The smell and flies will be horrible especially when monsoon season approaches and during.
3. The property value in the area will decrease. We have worked very hard to increase our property value.

Please do not issue this permit.  
My apologies for not attending but I have to work.

Sincerely,

Dianna Bauer

928-978-1075

RECEIVED

MAY 29 2018

Tuesday, May 29, 2018

Regarding permit to be consider for allowing applicant at parcel 304-36-078 to house 8 pot-bellied pigs and 8 dogs.

I am requesting that you do not issue this permit as it will reduce the value of my property at parcel 304-36-135, 896 N. DeerCreek Dr. and the surrounding parcels.

We have worked very hard to increase the integrity of our property allowing this permit would only decrease it.

I am unable to attend the hearing due to work.

Again, please do not issue the permit for File No. U-18-06 Permit No. P1805-004.

William H. Bauer

William H. Bauer

928-951-3424

RECEIVED

MAY 29 2018

745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

---

## GILA COUNTY COMMUNITY DEVELOPMENT

---

June 21, 2018

Mr. Christopher Pfeil  
915 N. Deer Creek Drive  
Payson, AZ 85541

Re: Use Permit (U-18-06)

Request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard  
APN: 304-36-078  
Deer Creek  
Zoning in R1-D10+TD

Mr. Pfeil,

Your Use Permit application involves both "household pets" (dogs) and "livestock" (swine) as defined in the Gila County Zoning Ordinance (Section 102). Because of the definition difference between these two types of animals, I will address them separately in this letter.

The portion of your application for a Use Permit to house 8 dogs on your property has been approved with conditions. Since you did not state you are boarding, raising or training them for a fee or for exchange or sale, you will be classified as a non-commercial kennel. (Section 104.2A.4.c)

Conditions:

1. The breed of the dogs shall be of the small variety – 20 pounds or less in weight.
2. The dogs will remain indoors except for "bathroom breaks" as stated in the Use Permit application.
3. Measures shall be taken to ensure that the yard is regularly maintained to remove dog waste.
4. Barking is to be kept to a minimum.
5. Dogs are to remain current on all vaccinations and licensing required by Gila County Animal Control.
6. Both Gila County Health Department and Animal Control have the right to conduct site visits to ensure the health and welfare of the dogs.
7. This Use Permit is subject to an annual re-evaluation if deemed necessary.
8. Violating any of these conditions shall result in the cancellation of this Use Permit.
9. Valid public nuisance complaints received from adjacent or nearby property owners concerning the dogs, shall result in the cancellation of this Use Permit.

The portion of your application for a Use Permit for the housing of 8 pot-bellied pigs has been denied for the reasons listed below:

1. Pot-bellied pigs are not considered household pets or domestic farm-type animals, but come under the category of swine which are defined as livestock.
2. The housing of 8 livestock on .26 of an acre in a residential area is not appropriate given the location and size of the property.
3. During a site visit by the Zoning Inspector, strong odors and a considerable number of insects (flies) were present.
4. During the same site visit by the Zoning Inspector, you stated you were breeding the pigs to obtain a desirable hair color. This statement supports you are operating a breeding program.

41



4. Written comments from surrounding neighbors and a verbal comment from the President of the Deer Creek HOA were received opposing approval of this application.

The pot-bellied pigs must be removed from your property by July 20, 2018 which is 30 calendar days from the date of this letter unless you file an appeal. You will be required to allow verification that the pigs have been removed. Failure to remove the pigs will result in a notice to appear before the Hearing Officer for Code Enforcement.

You may appeal to the Gila County Board of Adjustments the denial of the permit and/or the listed conditions within fifteen (15) working days from the date of this letter. (Section 101.3D.4) Surrounding property owners may also appeal my decisions within the same timeframe. All appeals must be written and received in our office by close of business on July 12, 2018. The Use Permit approval for the 8 dogs will become effective after 15 working days (July 13, 2018) from the date on this letter if no appeals are filed.

Sincerely,



Scott Buzan  
Director

(42)

745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

---

## GILA COUNTY COMMUNITY DEVELOPMENT

---

June 21, 2018

William and Deanna Bauer  
896 N. Deer Creek Dr.  
Payson, AZ 85541

Re: Use Permit (U-18-06)

Request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard

APN: 304-36-078

Deer Creek

Zoning in R1-D10+TD

Mr. and Mrs. Bauer,

Mr. Christopher Pfeil at 915 N. Deer Creek Drive, submitted an application for a Use Permit to our office. This application was a request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard. The Use Permit application involves both "household pets" (dogs) and "livestock" (swine) as defined in the Gila County Zoning Ordinance (Section 102). Because of the definition difference between these two types of animals, I will address them separately in this letter.

The portion of the application for a Use Permit to house 8 dogs on the property has been approved with conditions. This approval will become effective July 13, 2018, if no appeals have been filed.

Conditions:

1. The breed of the dogs shall be of the small variety – 20 pounds or less in weight.
2. The dogs will remain indoors except for "bathroom breaks" as stated in the Use Permit application.
3. Measures shall be taken to ensure that the yard is regularly maintained to remove dog waste.
4. Barking is to be kept to a minimum.
5. Dogs are to remain current on all vaccinations and licensing required by Gila County Animal Control.
6. Both Gila County Health Department and Animal Control have the right to conduct site visits to ensure the health and welfare of the dogs.
7. This Use Permit is subject to an annual re-evaluation if deemed necessary.
8. Violating any of these conditions shall result in the cancellation of this Use Permit.
9. Valid public nuisance complaints received from adjacent or nearby property owners concerning the dogs, shall result in the cancellation of this Use Permit.

43

The portion of the application for a Use Permit for the housing of 8 pot-bellied pigs has been denied.

You are receiving this letter because you have the right to appeal this decision since your property is adjacent to 915 N. Deer Creek Drive. All written requests of appeal must be received in our office by close of business on July 12, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 D (4) appeals will be heard by the Gila County Board of Adjustment.

Sincerely,



Scott Buzan  
Director

44



745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

---

June 21, 2018

Ms. Elisabeth Lee  
3723 W. 100<sup>th</sup> Ave.  
Anchorage, AK 99515

Re: Use Permit (U-18-06)

Request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard

APN: 304-36-078

Deer Creek

Zoning in R1-D10+TD

Ms. Lee,

Mr. Christopher Pfeil at 915 N. Deer Creek Drive, submitted an application for a Use Permit to our office. This application was a request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard. The Use Permit application involves both "household pets" (dogs) and "livestock" (swine) as defined in the Gila County Zoning Ordinance (Section 102). Because of the definition difference between these two types of animals, I will address them separately in this letter.

The portion of the application for a Use Permit to house 8 dogs on the property has been approved with conditions. This approval will become effective July 13, 2018, if no appeals have been filed.

Conditions:

1. The breed of the dogs shall be of the small variety – 20 pounds or less in weight.
2. The dogs will remain indoors except for "bathroom breaks" as stated in the Use Permit application.
3. Measures shall be taken to ensure that the yard is regularly maintained to remove dog waste.
4. Barking is to be kept to a minimum.
5. Dogs are to remain current on all vaccinations and licensing required by Gila County Animal Control.
6. Both Gila County Health Department and Animal Control have the right to conduct site visits to ensure the health and welfare of the dogs.
7. This Use Permit is subject to an annual re-evaluation if deemed necessary.
8. Violating any of these conditions shall result in the cancellation of this Use Permit.
9. Valid public nuisance complaints received from adjacent or nearby property owners concerning the dogs, shall result in the cancellation of this Use Permit.

The portion of the application for a Use Permit for the housing of 8 pot-bellied pigs has been denied.

You are receiving this letter because you have the right to appeal this decision since your property is adjacent to 915 N. Deer Creek Drive. All written requests of appeal must be received in our office by close of business on July 12, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 D (4) appeals will be heard by the Gila County Board of Adjustment.

Sincerely,



Scott Buzan  
Director

745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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June 21, 2018

Richard Sambrano and Dawn Wilson  
8601 N. 103<sup>rd</sup> Ave. #42  
Peoria, AZ 85345

Re: Use Permit (U-18-06)

Request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard

APN: 304-36-078

Deer Creek

Zoning in R1-D10+TD

Mr. Sambrano and Ms. Wilson,

Mr. Christopher Pfeil at 915 N. Deer Creek Drive, submitted an application for a Use Permit to our office. This application was a request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard. The Use Permit application involves both "household pets" (dogs) and "livestock" (swine) as defined in the Gila County Zoning Ordinance (Section 102). Because of the definition difference between these two types of animals, I will address them separately in this letter.

The portion of the application for a Use Permit to house 8 dogs on the property has been approved with conditions. This approval will become effective July 13, 2018, if no appeals have been filed.

Conditions:

1. The breed of the dogs shall be of the small variety – 20 pounds or less in weight.
2. The dogs will remain indoors except for "bathroom breaks" as stated in the Use Permit application.
3. Measures shall be taken to ensure that the yard is regularly maintained to remove dog waste.
4. Barking is to be kept to a minimum.
5. Dogs are to remain current on all vaccinations and licensing required by Gila County Animal Control.
6. Both Gila County Health Department and Animal Control have the right to conduct site visits to ensure the health and welfare of the dogs.
7. This Use Permit is subject to an annual re-evaluation if deemed necessary.
8. Violating any of these conditions shall result in the cancellation of this Use Permit.
9. Valid public nuisance complaints received from adjacent or nearby property owners concerning the dogs, shall result in the cancellation of this Use Permit.

47



The portion of the application for a Use Permit for the housing of 8 pot-bellied pigs has been denied.

You are receiving this letter because you have the right to appeal this decision since your property is adjacent to 915 N. Deer Creek Drive. All written requests of appeal must be received in our office by close of business on July 12, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 D (4) appeals will be heard by the Gila County Board of Adjustment.

Sincerely,

  
Scott Buzan  
Director

745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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June 21, 2018

Larry and Elisa Gereaux  
378 S. Elm Drive  
Payson, AZ 85541

Re: Use Permit (U-18-06)

Request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard

APN: 304-36-078

Deer Creek

Zoning in R1-D10+TD

Mr. and Mrs. Gereaux,

Mr. Christopher Pfeil at 915 N. Deer Creek Drive, submitted an application for a Use Permit to our office. This application was a request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard. The Use Permit application involves both "household pets" (dogs) and "livestock" (swine) as defined in the Gila County Zoning Ordinance (Section 102). Because of the definition difference between these two types of animals, I will address them separately in this letter.

The portion of the application for a Use Permit to house 8 dogs on the property has been approved with conditions. This approval will become effective July 13, 2018, if no appeals have been filed.

Conditions:

1. The breed of the dogs shall be of the small variety – 20 pounds or less in weight.
2. The dogs will remain indoors except for "bathroom breaks" as stated in the Use Permit application.
3. Measures shall be taken to ensure that the yard is regularly maintained to remove dog waste.
4. Barking is to be kept to a minimum.
5. Dogs are to remain current on all vaccinations and licensing required by Gila County Animal Control.
6. Both Gila County Health Department and Animal Control have the right to conduct site visits to ensure the health and welfare of the dogs.
7. This Use Permit is subject to an annual re-evaluation if deemed necessary.
8. Violating any of these conditions shall result in the cancellation of this Use Permit.
9. Valid public nuisance complaints received from adjacent or nearby property owners concerning the dogs, shall result in the cancellation of this Use Permit.

The portion of the application for a Use Permit for the housing of 8 pot-bellied pigs has been denied.

You are receiving this letter because you have the right to appeal this decision since your property is adjacent to 915 N. Deer Creek Drive. All written requests of appeal must be received in our office by close of business on July 12, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 D (4) appeals will be heard by the Gila County Board of Adjustment.

Sincerely,



Scott Buzan  
Director



745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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June 21, 2018

James and Cynthia Vreeland  
903 N. Deer Creek Rd.  
Payson, AZ 85541

Re: Use Permit (U-18-06)

Request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard

APN: 304-36-078

Deer Creek

Zoning in R1-D10+TD

Mr. and Mrs. Vreeland,

Mr. Christopher Pfeil at 915 N. Deer Creek Drive, submitted an application for a Use Permit to our office. This application was a request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard. The Use Permit application involves both "household pets" (dogs) and "livestock" (swine) as defined in the Gila County Zoning Ordinance (Section 102). Because of the definition difference between these two types of animals, I will address them separately in this letter.

The portion of the application for a Use Permit to house 8 dogs on the property has been approved with conditions. This approval will become effective July 13, 2018, if no appeals have been filed.

Conditions:

1. The breed of the dogs shall be of the small variety – 20 pounds or less in weight.
2. The dogs will remain indoors except for "bathroom breaks" as stated in the Use Permit application.
3. Measures shall be taken to ensure that the yard is regularly maintained to remove dog waste.
4. Barking is to be kept to a minimum.
5. Dogs are to remain current on all vaccinations and licensing required by Gila County Animal Control.
6. Both Gila County Health Department and Animal Control have the right to conduct site visits to ensure the health and welfare of the dogs.
7. This Use Permit is subject to an annual re-evaluation if deemed necessary.
8. Violating any of these conditions shall result in the cancellation of this Use Permit.
9. Valid public nuisance complaints received from adjacent or nearby property owners concerning the dogs, shall result in the cancellation of this Use Permit.

The portion of the application for a Use Permit for the housing of 8 pot-bellied pigs has been denied.

You are receiving this letter because you have the right to appeal this decision since your property is adjacent to 915 N. Deer Creek Drive. All written requests of appeal must be received in our office by close of business on July 12, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 D (4) appeals will be heard by the Gila County Board of Adjustment.

Sincerely,



Scott Buzan  
Director

745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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June 21, 2018

John and Margaret Miles  
PO Box 2324  
Payson, AZ 85547

Re: Use Permit (U-18-06)

Request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard

APN: 304-36-078

Deer Creek

Zoning in R1-D10+TD

Mr. and Mrs. Miles,

Mr. Christopher Pfeil at 915 N. Deer Creek Drive, submitted an application for a Use Permit to our office. This application was a request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard. The Use Permit application involves both "household pets" (dogs) and "livestock" (swine) as defined in the Gila County Zoning Ordinance (Section 102). Because of the definition difference between these two types of animals, I will address them separately in this letter.

The portion of the application for a Use Permit to house 8 dogs on the property has been approved with conditions. This approval will become effective July 13, 2018, if no appeals have been filed.

Conditions:

1. The breed of the dogs shall be of the small variety – 20 pounds or less in weight.
2. The dogs will remain indoors except for "bathroom breaks" as stated in the Use Permit application.
3. Measures shall be taken to ensure that the yard is regularly maintained to remove dog waste.
4. Barking is to be kept to a minimum.
5. Dogs are to remain current on all vaccinations and licensing required by Gila County Animal Control.
6. Both Gila County Health Department and Animal Control have the right to conduct site visits to ensure the health and welfare of the dogs.
7. This Use Permit is subject to an annual re-evaluation if deemed necessary.
8. Violating any of these conditions shall result in the cancellation of this Use Permit.
9. Valid public nuisance complaints received from adjacent or nearby property owners concerning the dogs, shall result in the cancellation of this Use Permit.

53



The portion of the application for a Use Permit for the housing of 8 pot-bellied pigs has been denied.

You are receiving this letter because you have the right to appeal this decision since your property is adjacent to 915 N. Deer Creek Drive. All written requests of appeal must be received in our office by close of business on July 12, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 D (4) appeals will be heard by the Gila County Board of Adjustment.

Sincerely,

  
Scott Buzan  
Director

745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



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Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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June 21, 2018

Deer Creek HOA  
C/O Jim Stevens  
123 N. Deer Creek Dr.  
Payson, AZ 85541

Re: Use Permit (U-18-06)  
Request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard  
APN: 304-36-078  
Deer Creek  
Zoning in R1-D10+TD

Mr. Stevens,

Mr. Christopher Pfeil at 915 N. Deer Creek Drive, submitted an application for a Use Permit to our office. This application was a request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard. The Use Permit application involves both "household pets" (dogs) and "livestock" (swine) as defined in the Gila County Zoning Ordinance (Section 102). Because of the definition difference between these two types of animals, I will address them separately in this letter.

The portion of the application for a Use Permit to house 8 dogs on the property has been approved with conditions. This approval will become effective July 13, 2018, if no appeals have been filed.

Conditions:

1. The breed of the dogs shall be of the small variety – 20 pounds or less in weight.
2. The dogs will remain indoors except for "bathroom breaks" as stated in the Use Permit application.
3. Measures shall be taken to ensure that the yard is regularly maintained to remove dog waste.
4. Barking is to be kept to a minimum.
5. Dogs are to remain current on all vaccinations and licensing required by Gila County Animal Control.
6. Both Gila County Health Department and Animal Control have the right to conduct site visits to ensure the health and welfare of the dogs.
7. This Use Permit is subject to an annual re-evaluation if deemed necessary.
8. Violating any of these conditions shall result in the cancellation of this Use Permit.
9. Valid public nuisance complaints received from adjacent or nearby property owners concerning the dogs, shall result in the cancellation of this Use Permit.

The portion of the application for a Use Permit for the housing of 8 pot-bellied pigs has been denied.

You are receiving this letter because you have the right to appeal this decision since your property is adjacent to 915 N. Deer Creek Drive. All written requests of appeal must be received in our office by close of business on July 12, 2018. If an appeal is received from you, we will notify you by U.S. mail the date of the appeal hearing. Per Gila County Zoning Ordinance Z 15-03, Section 101.3 D (4) appeals will be heard by the Gila County Board of Adjustment.

Sincerely,

  
Scott Buzan  
Director



Christopher Pfeil  
915 N. Deer Creek Drive  
Payson, Arizona 85541  
(928) 595-2357

July 10, 2018

Gila County Community Development  
Payson, Arizona 85541

To whom it may concern:

The purpose of this appeal is to dispute the zoning classification of pot-bellied pigs being domestic pets and not livestock.

Thank you on your decision for my dogs.

I am asking that Gila County change their classification to pets like the two major towns of Payson and Globe have already done.

Payson Ruling 15-11-002 page 14

PET: Domestic animal under 150 pounds raised and kept in a dwelling unit or residential lot for individual or family use and may include dogs, cats, rabbits, birds, pot-bellied pigs (not pigs or swine raised for food or sale) and small caged animals among other species.

Globe Ordinance No. 836

Amending Section 7-1-8

Swine prohibited, to include exception for miniature pigs.

Approved on July 26, 2016

Moved by Councilman Lerry Alderman

Seconded by Councilman Mike Stapleton

Motion passed unanimously.

Pigs are like rabbits.

There are domestic pet rabbits that are usually smaller and meat (livestock) rabbits that are larger. Pigs should be classified in the same two classifications.

I have reached out to Ironwood Pig Sanctuary for help to rehome a few of my pigs but they told me they are too busy right now, but could help when the weather cools

RECEIVED

JUL 12 2018

GILA CO. COM. DEV.

down. They only transport pigs in extreme heat if they are neglected or abused. It stresses them out too much. They referred me to Better Piggies Rescue in Gilbert. I talked to Matt and he told me he was at his limit right now but would help me find a place to board them if needed. I also put up flyers at Pet Club and in surrounding neighborhoods with ranches, ads on the internet, and the radio.

Ironwood Pig Sanctuary 520-579-8847.  
Better Piggies Rescue - Matt 602-790-9363

Boarding the pigs elsewhere would put my fiancé and I in emotional, physical and financial hardship and who's to say the person that was taking care of them for us wouldn't neglect them. We are home most of the time and tend to the pigs many times throughout the day making sure they have water in this extreme heat.

I have enclosed a packet of useful information that addresses some of your concerns. I have done extensive research on the internet on controlling the flies and am experimenting with a few. So far they seem to be helping. The flies are only near moisture and where I feed them, not near their feces. The only smell I can detect is the earthy smell of the mud that is necessary for them to keep cool. There are products to use for the ammonia from their urine but during extreme moisture, they are useless.

Jim and Cindy Vreeland who live at 908 next door, who are the ones who initiated this ordeal, didn't even care enough to come to the hearing. As far as the Bauer's, they were unaware that the pigs were already here for the past year so apparently had no concern until you, the County notified them. The enclosed packet also covers the topic of property values being affected.

I am asking that you take the appropriate amount of time to research this matter, also asking for at least 120 days to find homes for a few of my pigs especially after the monsoon ends and cooler weather arrives. I personally cannot be out in this heat for more than 10 minutes at a time.

Please do not help add to the problem of many homeless pigs. I will do my part and not breed any of them as long as they are at my address.

Thank you for taking the time to hear me out and I hope I have convinced the County to change the ordinance.

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By removing the pigs from my residence it would also result in hurting the economy of a few local businesses within the county. I spend a few thousand dollars a year at Pet Club, Tractor Supply and the grocery chains, purchasing food and other products for them.

Sincerely,

  
Christopher R. Pheil

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# Legalize Mini Pigs As Pets

Download the

## The Facts of Owning Pigs As Pets

Are you fighting your city's [zoning ordinance](#) to keep your pet pig? Are you looking to change the zoning ordinance of keeping pigs as pets before you buy a house in a city? Or are you looking to rent and need materials to show your landlord how acceptable mini pigs are as pets?

For the steps on changing a city or town ordinance to allow pet pigs, [click here](#).

The American Mini Pig Association has compiled the following information and research to help you! Share [this blog link](#)

OR

**Download the free 56 page** [AMPA Pet Mini Pig Zoning Packet](#) to take with you to your meeting or email the attachment to your city council. This packet includes:

- Steps to change your city's zoning ordinance
- Letter of Recommendation from the American Mini Pig Rescue
- Letter of Recommendation from the American Mini Pig Association
- 5 Letters of Recommendation from AMPA Registered Veterinarians
- FACTS of Owning Pigs As Pets
- Sample American Mini Pig Registered Pet Pig Certificate
- Federal Definitions of "livestock"
- Letter from USDA
- Letter from State of Pennsylvania Proclaiming Pigs as Pets
- Mini Pigs in the News
- City Ordinance Tips from the American Mini Pig Association
- 13 Example Ordinances from Cities Allowing Mini Pigs
- List of Cities Across the Nation that Allow Mini Pigs
- The History of Mini Pigs

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## **Myth: Pigs are not pets**

We beg to differ! Pigs have been pets since the 1980s. A rapidly growing number of owners across the United States, Canada, and beyond, claim their dedication to pet mini pigs. The numbers continue to spike as more families fall in love with the charms and challenges of these unique pets. Follow the American Mini Pig Association on [Facebook](#) or view the massive educational [website](#) dedicated to mini pigs as family pets.

The American Mini Pig advocates for responsible owner, breeder, rescue, and veterinary practices. Mini pigs are being registered as pets through the official [AMPA registry](#).

## **Myth: Pigs will make us sick**

Pet pigs present a very low zoonotic risk to humans. You are far more likely to get sick from your child's classmates or a stranger at the grocery store than from a pet pig. Pigs living as pets are not exposed to the conditions and diseases of commercial farm hogs.

The [CDC](#) states: "Almost all influenza cases in humans are caused by human flu viruses, not viruses from swine."

and

"At this time, there are three main flu viruses that circulate in U.S. pigs: H1N1, H1N2 and H3N2. These viruses do not usually infect people and are genetically different from the H1N1 and H3N2 viruses that commonly circulate in people."

According to the [World Health Organization](#), even on commercial pig farms, people are more at risk from mechanical or electrical injury than microorganisms.

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To further protect against zoonotic diseases, mini pigs should be vaccinated yearly against erysipelas and regularly dewormed with Ivermectin to prevent mange mites as recommended by the Merck Veterinary Manual. This is similar to the vaccine and parasite control routine that is standard for dogs, cats, and other pets. Some cities require a rabies vaccine in pet pigs as an added precaution.

## **Myth: Pigs are HUGE!**

Mini pigs average in height from 12 to 18 inches tall at maturity. They are short and heavy. They are very similar in height to English Bulldogs or Cocker Spaniels. Mini pigs average 50-150 lbs in weight when full grown, very similar in weight to medium to large dogs but the pigs are much shorter in height than a dog with similar weight. A 70 pound mini pig will take up less space on the couch than his 70 pound Labrador Retriever brother!

Comparing pigs and dogs:

### **Mini Pigs**

12 to 18 inches average

50 to 150 pounds average

### **English Mastiff dog**

30 inches MINIMUM according to the Mastiff Club

343 pounds on record

### **Newfoundland dog**

36 inches tall on record

260 pounds on record

### **Great Dane dog**

44 inches tall on record

230 pounds on record

### **Neapolitan Mastiff dog**

31 inches according to

200 pounds according to

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### **Irish Wolfhound dog**

34 inches according to *American Quarter Horse Association*  
120+ pounds according to *American Quarter Horse Association*

### **Saint Bernard**

35 inches inches according to *American Quarter Horse Association*  
357 pounds on *American Quarter Horse Association*

While no one can guarantee the size of any animal, choosing an *Registered Breeder* will ensure pet owners are not deceived. These breeders have been pre-screened, proven measurements of the breeding pigs, and signed a *Code of Ethics* to ensure happy, healthy, socialized mini pigs. *Registered Breeders* will make sure your neighborhood doesn't accidentally end up with an Esther sized pig!

### **Myth: All pigs are the same**

Pigs come in a variety of shapes and sizes, bred for different purposes. There are three distinctions of pigs: pets, livestock, and medical research.

**Pet Mini Pigs** are a miniature size of pig as recognized and registered by the *American Mini Pig Association*. These pigs are usually mixed with several breeds Juliana, Gottengin/Guttengin, African Pygmy, Yucatan Micro, Swedish White, and various mixes of these breeds. Mini pigs average in height from 12 to 18 inches and 50 to 150 pounds at maturity when they are 5 years old. **Mini pigs are bred and sold as pets.** Breeders focus on temperament, personality, size, and structural soundness avoiding genetic faults or aggression. These pigs are often used as **Therapy Animals in hospitals, nursing homes and schools** and as **Emotional Support Animals (ESA)** due to their intelligence and bonds with their owners/families. **The purpose of these animals is to be family companions as pets.**

**Livestock** are defined by *Merriam-Webster* as **farm animals kept for use and profit.** Pigs in terms of livestock are often referring to as "farm hogs" or "full size hogs". Common livestock breeds of swine are Landrace, Yorkshire, Berkshire, Tamworth, Red Wattle, Large Black, Large White, Mulefoot,

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Duroc, Guinea Hog, and Old Spot. These animals are raised as a food source on a small or large scale, both at farms and commercial facilities. Livestock farm hogs will typically grow in excess of 700-1,000 pounds when allowed to mature. However, the vast majority of farm hogs are slaughtered by the time they reach 250 pounds around 6 months of age. **The purpose of livestock pigs is financial profit through food production.**

**Medical research** has long used swine in laboratories for medical advances to benefit human health care. According to the American College of Veterinary Pathologists, the most common miniature breeds available in the United States are the Hanford, Yucatan, Yucatan micro, Sinclair, and Göttingen (from largest to smallest). Swine have been an integral part of surgical training, pharmaceuticals and medicine development, testing the safety of medications, toxicology testing, organ transplantation, bioprosthetic organs, cardiovascular research, wound healing, burn victim treatments, and regenerative medicine. Swine have also been used in studies involving ulcers, cancers, diabetes, and alcoholism. Swine involved in medical research are bred, born, and raised in closed facilities that are highly regulated for genetic background and disease control. **The purpose of medical research pigs is to further the scientific progress in health care for humans.**

Resources:

American College of Veterinary Pathology  
Domestic Mini Pigs  
National Animal Welfare Inspection Agency

### **Myth: Pigs are noisy**

Pigs are animals and do make noise as they communicate, just as all animals and humans do. A well cared for pet pig will not cause any disruption to the neighborhood. Many pet pigs live happily in their home or in their yard with only soft grunting and quiet communications of contentment. If you're lucky you'll hear an oof oof or a funny bark if they get excited that sounds a lot like

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a dog! High volume obnoxious sounds are more connected to commercial farm settings with many, many large animals similar to a dog kennel or shelter. This is a completely different scenario than a single pet mini pig or single pet dog. A pet mini pig does not face the same challenges as a large scale commercial farm.

The noise of a pig can be compared to the noise of a dog, in that typically they are very quiet, but can raise their voice when they are hurt, scared, or lonely, and each is an individual with its own personality. Some dogs are very quiet and some are a regular nuisance to their neighbors.

A pig's most extreme squeal can reach 110 decibels, which is a very short burst of panic noise. Similarly, a dog kennel of barking dogs can reach 100-108 decibels of nonstop barking, as referenced by [Petedge](#). Some things commonly heard in a neighborhood that are louder than a pig's brief squeal are circular saw, chain saw, and firecrackers, as referenced [here](#).

### **Myth: Pigs stink and create too much waste**

Mini pigs have no body odor when they are spayed and neutered. They have very few functioning sweat glands, instead relying on water or mud to cool them off. Most pet pigs enjoy a nice roll in a kiddie pool! That is, when they aren't snoozing in front of the TV.

Intact boars (males that have not been neutered) do have a musky odor that is used to attract females. The American Mini Pig Association recommends all pet pigs be [spayed or neutered](#) before 6 months of age. A neutered pet pig will not have the odor of a boar.

All pets create waste, **but pigs create fertilizer!** Pig's manure can be composted to feed the garden. Swine manure contains several essential plant nutrients giving a higher crop yield than inorganic fertilizers, as shown in [this study](#).

All pet waste should be managed by owners. For pigs, picking up regularly and disposing of the waste or composting, **there is no smell or odor.**

### **Myth: Pigs are dangerous**

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Pigs are affectionate, intelligent, excellent communicators, and very much loved as family pets across the world. There is no reason to fear them. These small pigs are very similar in size to a bulldog. If a male mini pig grows tusks past the lip line, these can be easily trimmed by a veterinarian as described by the [Michigan Veterinary Manual](#).

Statistics vary by locality, but residents are far more likely to be bitten by a dog or cat in the neighborhood than a pet pig.

To reduce any concern, zoning regulations may include requirements for pet pigs to be spayed, neutered, microchipped with a permanent identification, vaccinated against rabies, and contained in a fence or on a leash.

### **Myth: Property values will decrease**

There is absolutely no evidence that property values will decrease by having a pet pig in the community. On the contrary, mini pigs tend to bring a lot of positive attention, sometimes even media coverage! These special pets are opening the eyes of people everywhere.

Meet [redacted], the Mini Pig Hero that saved his little boys life by alerting his mom to an incident in the bathtub that left the boy nearly unconscious.

Meet [redacted] the Mini Pig Hero that teaches children responsibility at school.

Meet [redacted] the Mini Pig Hero that detects seizures.

Meet [redacted] the Mini Pig Hero that visits nursing homes.

Meet [redacted] the Mini Pig Hero that brings joy to the Human Department of Children Services.

### **Myth: Pigs are fed garbage or waste scraps**

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Mini pigs are considered family pets with all the comforts and care that other family pets are given, including top notch nutrition and sanitary care.

Mazuri and other companies have formulated a complete pelleted diet to meet the specific needs of mini pigs. In addition to their pellets, mini pigs often enjoy a daily salad of fruits and vegetables along with a few healthy snacks or treats such as popcorn, cheerios, or raisins.

Mini pigs should NEVER be fed garbage or waste scraps. While this \*may\* be the case with some farmers that raise large hogs for slaughter, they do this to grow the hog to market size as cost effectively as possible. Mini pig families are not raising pigs to slaughter and they are not looking to cut cost. Pet pigs are family and often claimed to "eat better" than their humans! Many pet pig owners go to great lengths to feed their pigs a fresh assortment of organic vegetables and whole, fresh foods. Learn more about Mazuri mini pig food [here](#).

### **Myth: Pigs cannot live indoors**

Mini pigs are very happy to live indoor/outdoor just like the family dog, as stated by the [Hog's Veterinary Manual](#). If pigs are housed outside, they should be given proper fencing and protection from the elements as addressed in the American Mini Pig Association [Owner Code of Ethics](#).

Mini pigs can be trained to use a litter box like a cat, or to go outside into the yard to use the bathroom just like the family's dog. Read more about [petting](#) pet pigs.

### **Myth: Pigs are dumb livestock**

Mini pigs are highly intelligent companion pets. Classifying a pet mini pig as livestock would be similar to classifying a child's pet bunny as livestock because they are commonly raised in rabbitries in the meat/fur industry and shown at livestock shows. Mini pigs are raised and treated as family pets. There is no correlation to the livestock swine industry. Penn State classify rabbits as livestock, [here](#), while stating "Rabbit farming has grown from raising a few rabbits for family consumption to large commercial operations with hundreds

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of rabbits. Investment in a rabbitry, including breeding stock, can be quite modest." Yet, this classification does not stop families from owning a rabbit as a family pet.

Mini pigs are so smart they learn to move levers and switches to get food and water. They have high level social cognitive abilities and self-awareness. Furthermore, pigs have shown a variety of emotions and feelings as shown by the [Human Society](#).

Mini pigs have been certified nationwide by the 501c3 nonprofit organization [Pet Partners](#) alongside dogs as Animal Assisted Therapy volunteers. This certification requires the right temperament and plenty of training. These mini pigs and their handlers are invited to hospitals, schools, nursing homes and other community centers to provide therapy to the residents. Mini pigs are also used as Emotional Support Animals to comfort their owners with emotional disorders. [www.petpartners.org](#)

The American Mini Pig Association offers a therapy pet certification program. The AMPA training course information can be found here.

Meet [Sasha](#), the Mini Pig Hero that saved his little boys life by alerting his mom to an incident in the bathtub that left the boy nearly unconscious.

Meet [Nash](#) the Mini Pig Hero that teaches children responsibility at school.

Meet [Dillon](#) the Mini Pig Hero that detects seizures.

Meet [Sally](#) the Mini Pig Hero that visits nursing homes.

Meet [Lemon](#) the Mini Pig Hero that brings joy to the Human Department of Children Services.

Mini pigs have been trained to:

- 
- Stay
- 

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745 N. Rose Mofford Way  
Globe, Arizona 85501  
(928) 402-4224  
FAX (928) 425-0829



608 E. Hwy 260  
Payson, Arizona 85541  
(928) 474-9276  
FAX (928) 474-0802

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## GILA COUNTY COMMUNITY DEVELOPMENT

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July 19, 2018

Mr. Christopher Pfeil  
915 N. Deer Creek Drive  
Payson, AZ 85541


Re: Use Permit (U-18-06) Appeal  
Request to house 8 dogs and 8 pot-bellied pigs in the residence and in the rear yard  
APN: 304-36-078  
Deer Creek  
Zoning in R1-D10+TD

Dear Mr. Pfeil,

We have received your appeal to your Use Permit application (U-18-06). This Use Permit application is scheduled to be heard by the Board of Adjustment on August 16, 2018 at 9:00 A.M., in our Payson office at 610 E. Hwy 260. It is recommended that you be present at this hearing to answer any questions the Board may have. You will also be receiving an agenda packet for the meeting a week prior to the meeting.

Should you have any questions or concerns regarding this matter, please feel free to contact me at (480) 228-2150 or by email at [mdahlke@gilacountyaz.gov](mailto:mdahlke@gilacountyaz.gov).

Sincerely,

  
Michelle Dahlke  
Senior Planner

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